

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Spisulosine Compounds**, the specification of which is attached hereto unless the following space is checked:

\_\_\_\_\_

is attached hereto.

X was filed on 08/31/99 as United States Application Serial Number or PCT International Application Number 09/386,724.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

| <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> | <u>Priority Not Claimed</u> |
|---------------|----------------|-----------------------------|-----------------------------|
| 1.            |                |                             |                             |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| <u>Application Number</u> | <u>Filing Date</u> |
|---------------------------|--------------------|
| 1.                        |                    |
| 2.                        |                    |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| <u>Application Number</u> | <u>Filing Date</u> | <u>Status—patented, pending, abandoned</u> |
|---------------------------|--------------------|--|
| 1. 09/058,456             | 04/10/98           | pending                                    |

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

|                         |                |                          |                |
|-------------------------|----------------|--------------------------|----------------|
| Donald W. Banner        | Reg. No. 17037 | Dale A. Malone           | Reg. No. 32155 |
| Sheldon W. Witcoff      | Reg. No. 17399 | Peter D. McDermott       | Reg. No. 29411 |
| Robert F. Altherr       | Reg. No. 31810 | Christopher L. McKee     | Reg. No. 32384 |
| Mark T. Banner          | Reg. No. 29888 | Edward F. McKie, Jr.     | Reg. No. 17335 |
| Pamela I. Banner        | Reg. No. 33644 | Nina L. Medlock          | Reg. No. 29673 |
| William W. Beckett      | Reg. No. 18262 | Timothy C. Meece         | Reg. No. 38553 |
| James V. Callahan       | Reg. No. 20095 | Frederic M. Meeker       | Reg. No. 35282 |
| Alan I. Cantor          | Reg. No. 28163 | Jon O. Nelson            | Reg. No. 24566 |
| Gregory J. Cohan        | Reg. No. 40959 | James A. Niegowski       | Reg. No. 28331 |
| Marc S. Cooperman       | Reg. No. 34143 | Thomas L. Peterson       | Reg. No. 30969 |
| Laura J. Demoor         | Reg. No. 39654 | Charles F. Pigott        | Reg. No. 19408 |
| W. Dennis Drehkoff      | Reg. No. 27193 | Joseph M. Potenza        | Reg. No. 28175 |
| Gary D. Fedorochko      | Reg. No. 35509 | Thomas K. Pratt          | Reg. No. 37210 |
| Daniel E. Fisher        | Reg. No. 32133 | Christopher J. Renk      | Reg. No. 33761 |
| William J. Fisher       | Reg. No. 34162 | Robert H. Resis          | Reg. No. 31168 |
| Christopher R. Glemboki | Reg. No. 38800 | Steven P. Schad          | Reg. No. 32550 |
| Helen A. Greer          | Reg. No. 36816 | Michael H. Shanahan      | Reg. No. 24438 |
| Brian E. Hanlon         | Reg. No. 40449 | Charles W. Shifley       | Reg. No. 28042 |
| Patricia E. Hong        | Reg. No. 34373 | Joseph M. Skerpon        | Reg. No. 29864 |
| Dale H. Hoscheit        | Reg. No. 19090 | J. Pieter Van Es         | Reg. No. 37746 |
| John P. Iwanicki        | Reg. No. 34628 | Kathleen Madden Williams | Reg. No. 34380 |
| Thomas H. Jackson       | Reg. No. 29808 | Franklin D. Wolffe       | Reg. No. 19724 |
| Sarah A. Kagan          | Reg. No. 32141 | Susan A. Wolffe          | Reg. No. 33568 |
| Robert S. Katz          | Reg. No. 36402 | Bradley C. Wright        | Reg. No. 38061 |
| Ernest V. Linek         | Reg. No. 29822 |                          |                |

as my Attorneys and as my Registered Patent Agents.

Address all telephone calls to **Ernest V. Linek** at (617) 227-7111.

Address all correspondence to BANNER & WITCOFF, LTD., 28 State Street, 28th Floor, Boston, MA 02109.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name):

**Kenneth L. RINEHART**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Urbana, Illinois

Citizenship: United States

Post Office Address: 1306 South Carle Avenue, Urbana, Illinois 61801

Full name of second joint inventor, if any (given name, family name):

**Robert A. WARWICK**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: United States

Post Office Address: \_\_\_\_\_

Full name of third inventor, if any (given name, family name):

**Jesus AVILA**

Inventor's signature: Jesus Avila Date: November 2, 1999

Residence: \_\_\_\_\_

Citizenship: Spain

Post Office Address: 205 PRINCIPE de VERGARA MADRID 28002 SPAIN

Full name of fourth inventor, if any (given name, family name):

**Nancy L. FREGEAU**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: United States

Post Office Address: \_\_\_\_\_

Full name of fifth inventor, if any (given name, family name):

**Dolores Garcia GRAVALOS**

Inventor's signature: Dolores P. Gravalos Date: October 22, 1999

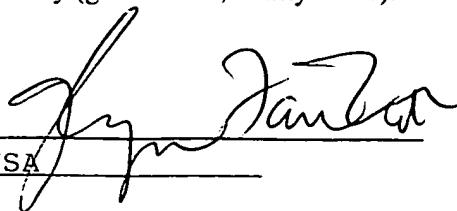
Residence: Spain

Citizenship: Spain

Post Office Address: C/ Maldonado, 63. 28006 Madrid

Full name of sixth inventor, if any (given name, family name):

**Glynn T. FAIRCLOTH**

Inventor's signature: 

Residence: USA

Date: 10/22/99

Citizenship: United States

Post Office Address: 10 Rogers Street, 202  
Cambridge 02142

PATENT

ATTORNEY DOCKET NO.: 04519/81237

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

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I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Spisulosine Compounds**, the specification of which is attached hereto unless the following space is checked:

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X

was filed on 08/31/99 as United States Application Serial Number or PCT International Application Number 09/386,724.

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| Laura J. Demoor          | Reg. No. 39654 | Charles F. Pigott        | Reg. No. 19408 |
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| Gary D. Fedorochko       | Reg. No. 35509 | Thomas K. Pratt          | Reg. No. 37210 |
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| William J. Fisher        | Reg. No. 34162 | Robert H. Resis          | Reg. No. 31168 |
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| Brian E. Hanlon          | Reg. No. 40449 | Charles W. Shifley       | Reg. No. 28042 |
| Patricia E. Hong         | Reg. No. 34373 | Joseph M. Skerpon        | Reg. No. 29864 |
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| John P. Iwanicki         | Reg. No. 34628 | Kathleen Madden Williams | Reg. No. 34380 |
| Thomas H. Jackson        | Reg. No. 29808 | Franklin D. Wolffe       | Reg. No. 19724 |
| Sarah A. Kagan           | Reg. No. 32141 | Susan A. Wolffe          | Reg. No. 33568 |
| Robert S. Katz           | Reg. No. 36402 | Bradley C. Wright        | Reg. No. 38061 |
| Ernest V. Linek          | Reg. No. 29822 |                          |                |

as my Attorneys and as my Registered Patent Agents.

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Full name of sole or first inventor (given name, family name):

**Kenneth L. RINEHART**

Inventor's signature: Kenneth L. Rinehart

Date: 23 November 1999

Residence: Urbana, Illinois

Citizenship: United States

Post Office Address: 1306 South Carle Avenue, Urbana, Illinois 61801

Full name of second joint inventor, if any (given name, family name):

**Robert A. WARWICK**

Inventor's signature: Robert A. Warwick

Date: 29 November 1999

Residence: 605 West Iowa Street, Urbana, Illinois 61801

Citizenship: United States

Post Office Address: \_\_\_\_\_

Full name of third inventor, if any (given name, family name):

**Jesus AVILA**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: Spain

Post Office Address: \_\_\_\_\_

Full name of fourth inventor, if any (given name, family name):

**Nancy L. FREGEAU GALLAGHER**

Inventor's signature: Nancy L. Fregeau Gallagher

Date: 12/21/99

Residence: 1423 Lenox Court, Wheeling, Illinois 60090

12/6/99 22932

Citizenship: United States

Post Office Address: \_\_\_\_\_

Full name of fifth inventor, if any (given name, family name):

**Dolores Garcia GRAVALOS**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: Spain

Post Office Address: \_\_\_\_\_

Full name of sixth inventor, if any (given name, family name):

**Glynn T. FAIRCLOTH**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: United States

Post Office Address: \_\_\_\_\_

**PATENT**

Docket No.: 4126-4011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Kenneth L. Rinehart et al.

Serial No. : 09/386,724 Group Art Unit: 1614

Filed : August 31, 1999 Examiner: Jerome D. Goldberg

For : SPIULOSINE COMPOUNDS

Assistant Commissioner of Patents  
Washington, D.C. 20231

**REVOCATION OF POWER OF ATTORNEY UNDER 37 C.F.R. §1.36 AND**  
**APPOINTMENT OF ATTORNEY**

Sir:

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS is the assignee of the entire right, title and interest in the above-identified patent application, by an Assignment executed on October 22, 1999, November 2, 1999, November 21, 1999, November 23, 1999, and November 29, 1999. The assignment was recorded December 27, 1999, in the United States Patent and Trademark Office at Reel 010516, Frame 0556.

As assignee of record of the entire interest of the above-identified application, I hereby revoke all powers of attorney previously given.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith:

David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No.

27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Mark J. Abate (Reg. No. 32,527), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. 43,979), Walter G. Hanchuk (Reg. No. 35,179), John W. Osborne (Reg. No. 36,231), Robert K. Goethals (Reg. No. 36,813), Peter N. Fill (Reg. No. 38,876), Mary J. Morry (Reg. No. 34,398), Kenneth S. Weitzman (Reg. No. 36,306), Richard Straussman (Reg. No. 39,847), and Stephen J. Manetta (Reg. No. 40,426) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727), and John E. Hoel (Reg. No. 26,279), of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

The correspondence address to which all communications about this application are to be directed is as follows:

Kenneth H. Sonnenfeld  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154  
(212) 415-8513 (Phone)  
(212) 751-6849 (Facsimile)

Respectfully submitted,

On behalf of THE BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ILLINOIS

Date: 3-3-03

By: Stephen K. Rugg

(Signature of person authorized to sign  
on behalf of Assignee)

Stephen K. Rugg

(Typed or printed name of person  
authorized to sign on behalf of  
Assignee)

Vice President for Administration,  
(Title of person authorized to sign on <sup>Comptroller</sup>  
behalf of Assignee)

## PATENT APPLICATION ASSIGNMENT

The undersigned, as inventors named in the patent application identified herein (hereinafter the "Assignor(s)"), for good and valuable consideration, receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS (hereinafter "the Assignee"), its successors and assigns, the entire right, title and interest throughout the world in the inventions and improvements which are the subject of an application filed in the United States Patent and Trademark Office, and identified as follows:

Serial No. 09/386,724; Filing Date August 31, 1999  
SPISULOSINE COMPOUNDS

this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models and design registrations and like rights of exclusion and for inventor's certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, preliminary statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

First Assignor's Name: Kenneth L. Rinehart

Home Address: 1306 South Carle Avenue  
Urbana, Illinois 61801

Signature: Kenneth L. Rinehart Date: 23 November 1999

Second Assignor's Name: Robert A. Warwick

Home Address: 605 West Iowa Street  
Urbana, Illinois 61801

Signature: Robert A. Warwick Date: 29 November 1999

Third Assignor's Name: Jesus Avila

Home Address: \_\_\_\_\_

Signature: \_\_\_\_\_

see copy

ATTACHED

Date: \_\_\_\_\_

Fourth Assignor's Name: Nancy L. Fregeau Gallagher

Home Address: 1423 Lenox Court  
Wheeling, Illinois 60090 USA

Signature: Mary Fregan Edgerton

Date: 11/21/99

Fifth Assignor's Name: Dolores Garcia Gravalos

Home Address:

Signature:

Date: see copy  
ATTACHED

Sixth Assignor's Name: Glynn T. Faircloth

Home Address:

Signature:

See copy  
ATTACHED  
Date: \_\_\_\_\_

## PATENT APPLICATION ASSIGNMENT

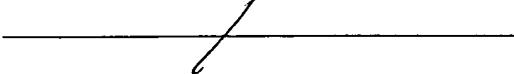
The undersigned, as inventors named in the patent application identified herein (hereinafter the "Assignor(s)"), for good and valuable consideration, receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS (hereinafter "the Assignee"), its successors and assigns, the entire right, title and interest throughout the world in the inventions and improvements which are the subject of an application filed in the United States Patent and Trademark Office, and identified as follows:

Serial No. 09/386,724; Filing Date August 31, 1999  
SPISULOSINE COMPOUNDS

this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models and design registrations and like rights of exclusion and for inventor's certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, preliminary statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

First Assignor's Name: Kenneth L. Rinehart

Home Address: 1306 South Carle Avenue  
Urbana, Illinois 61801

Signature: 

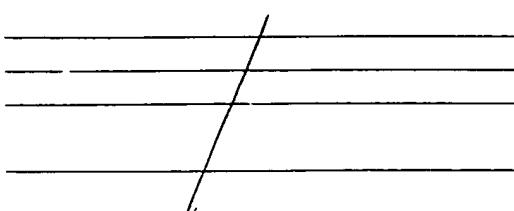
*see copy*

*ATTACHED*

Date: \_\_\_\_\_

Second Assignor's Name: Robert A. Warwick

Home Address: \_\_\_\_\_

Signature: 

*see  
copy*

*ATTACHED*

Date: \_\_\_\_\_

Third Assignor's Name: Jesus Avila

Home Address: 205 PRINCIPE de VÉRGARA  
MADRID 28002  
SPAIN

Signature: Jesús Avila

Date: November 2, 1999

Fourth Assignor's Name: Nancy L. Fregeau

**Home Address:**

See  
copy

Date: ATTACHED

Signature:

Fifth Assignor's Name: Dolores Garcia Gravalos

Home Address:

C/ Maldonado, 63. 28006 Madrid  
Spain

Signature:

Nikolaos F. Giavasis

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Glynn T. Faircloth

**Home Address:**

10 Rogers Street, 202  
Cambridge 02142  
USA

Signature:

USA  
John D. Sestak

Date: 10/22/93